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**CERTIFICATE OF MAILING**

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Danielle Prouty [Signature]

**PATENT**

**Attorney Docket No. 22488-712**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application	)	<u>PATENT APPLICATION</u>
	)	
Inventor(s): Danher Wang	)	
	)	Art Unit: 1645
Application No.: 10/003,035	)	
	)	Examiner: Unassigned
Filed: November 1, 2001	)	
	)	
Title Genetic Vaccine Against Human	)	
Immunodeficiency Virus	)	

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --
- ☒ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

- ☐ a certification as specified in §1.97(e) is provided below; or
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No. 22488-712).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Dated: May 21, 2003

By: 

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<b>INFORMATION DISCLOSURE CITATION</b> <b>PTO-1449</b> MAY 27 2003 U.S. PATENT & TRADEMARK OFFICE		ATTY. DOCKET NO.		SERIAL NO.		
		22488-712		10/003,035		
		APPLICANT D. Wang				
		FILING DATE 11/1/01		GROUP 1645		
<b>U.S. PATENT DOCUMENTS</b>						
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
<b>FOREIGN PATENT DOCUMENTS</b>						
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES NO
	WO 97/39771	10/30/97	PCT			<input type="checkbox"/> <input type="checkbox"/>
						<input type="checkbox"/> <input type="checkbox"/>
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>						
	Bruce, Christine B., et al., "Replication-deficient recombinant adenoviruses expressing the human immunodeficiency virus Env antigen can induce both humoral and CTL immune response in mice", <i>Journal of General Virology</i> , June 8, 1999, Vol. 80, pp. 2621-2628.					
	He, Xiao-Song, et al., "Construction of adenoviral and retroviral vectors coexpressing the genes encoding the hepatitis B surface antigen and B7-1 protein", <i>GENE</i> , 1996, Vol. 175, pp. 121-125.					
	Dewar, Robin L., et al., "Synthesis and Processing of Human Immunodeficiency Virus Type 1 Envelope Proteins Encoded by a Recombinant Human Adenovirus", <i>Journal of Virology</i> , Jan. 1989, Vol. 63, No. 1, pp. 129-136.					
	Natuk, R.J., et al., "Recombinant Vectors in Vaccine Development", <i>Adenovirus Vectored Vaccines</i> , 1994, Vol. 82, pp. 71-77.					
	Shiver, John W., et al., "Replication-incompetent adenoviral vaccine vector elicits effective anti-immunodeficiency-virus immunity", <i>Nature</i> , January 17, 2002, Vol. 415, pp. 331-335.					
	Gorziglia, Mario I., et al., "Generation of an Adenovirus Vector Lacking E1, E2a, E3, and All of E4 except Open Reading Frame 3", <i>Journal of Virology</i> , July 1999, Vol. 73, No. 7, pp. 6048-6055.					
	Braciak, T.A., et al., "Recombinant adenovirus vectors expressing interleukin-5 and -6 specifically enhance mucosal immunoglobulin A responses in the lung", <i>Immunology</i> , July 2000, Vol. 101, pp. 388-396.					
EXAMINER			DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant